IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.8207 of 2005

Shivaji Balku Borchate .Petitioner

vs

Shankar Bapu Borchate & ors..Respondents

Mr G.N.Salunke for petitioner

Mr.T.D.Deshmukh for respondent no.l

Mr. A M Kulkarni for respondent no 7

Mr A P Vanarse AGP for State

CORAM: S.U.KAMDAR J.

Dated 8.l2.2005

P.C:

. By consent of the parties the impugned order dated 6.7.2005 is quashed and set aside. Misc Appeal No.l4 of 2005 is remitted back to be tried afresh. However,the district judge is directed to assign the matter to any other district judge other than II Addl District Judge. Such learned Judge will hear the matter and decide the same expeditiously and in any event on or before 3l.l.2006.

. Petition is accordingly disposed of with no order as to costs.